

JS 44 (Rev. 07/16)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM)

**I. (a) PLAINTIFFS**

Jeffrey Greenberg

(b) County of Residence of First Listed Plaintiff Miami-Dade

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Maurice Harmon, Amanda Bruss

Harmon &amp; Seidman LLC

11 Chestnut Street, New Hope, PA 18938, (917) 516-4434

**DEFENDANTS**

McGraw-Hill Global Education Holdings LLC and McGraw-Hill School Education Holdings LLC

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Christopher P. Beall

Fox Rothschild LLP

101 Park Avenue, 17th Floor, New York, NY 10178

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

17 U.S.C. Section 501 et. seq.

Brief description of cause:

Copyright Infringement for unauthorized use of photographs

**VII. REQUESTED IN COMPLAINT:**
☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:

☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

01/30/2017

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44****Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.  
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.



## UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 401 Ocean Beach Drive 0804, Miami Beach, FL 33139

Address of Defendant: 1221 Avenue of the Americas, New York, NY 10020

Place of Accident, Incident or Transaction: Throughout the United States, including Pennsylvania  
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: \_\_\_\_\_ Judge \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?  
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases  
(Please specify) Copyright infringement

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases  
(Please specify) \_\_\_\_\_

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Maurice Harmon, counsel of record do hereby certify:

☒ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

☒ Relief other than monetary damages is sought.

DATE: January 30, 2017

Maurice Harmon  
Attorney-at-Law

304872

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: January 30, 2017

Maurice Harmon  
Attorney-at-Law

304872

Attorney I.D.#

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

JEFFREY GREENBERG,	)	
	)	Civil Action No.
Plaintiff,	)	
v.	)	COMPLAINT FOR COPYRIGHT INFRINGEMENT
	)	
MCGRAW-HILL GLOBAL EDUCATION	)	DEMAND FOR JURY TRIAL
HOLDINGS LLC AND MCGRAW-HILL	)	
SCHOOL EDUCATION HOLDINGS LLC,	)	ECF CASE
	)	
Defendants.	)	
	)	

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Plaintiff Jeffrey Greenberg, for his Complaint against Defendants McGraw-Hill Education Global Education Holdings, LLC and McGraw-Hill School Education Holdings, LLC (collectively “MHE”) alleges:

**STATEMENT OF ACTION**

1. This is an action for copyright infringement brought by Greenberg, the owner of copyrights to the photographs (“Photographs”) described hereafter, against MHE for unauthorized uses of Plaintiff’s Photographs.

**PARTIES**

2. Jeffrey Greenberg is a professional photographer who makes his living by creating and licensing photographs. He resides in Miami Beach, Florida.

3. MHE is a sophisticated global publisher incorporated in Delaware. MHE sells and distributes its publications in the Eastern District of Pennsylvania, throughout the United States, and overseas, including the publications and ancillary materials in which Plaintiff’s Photographs are unlawfully reproduced. At all times pertinent to the allegations herein, MHE acted through or in concert with its various imprints, divisions, subsidiaries, affiliates, and/or third parties.

## **JURISDICTION**

4. This is an action for injunctive relief, statutory damages, monetary damages, and interest under the copyright laws of the United States. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 (federal question) and 1338 (copyright).

## **VENUE**

5. Venue is appropriate in this District pursuant to 28 U.S.C. §§ 1391(a) and (b) and 28 U.S.C. §§ 1400(a).

## **FACTS COMMON TO ALL COUNTS**

6. Greenberg is the owner of copyrights in the attached photographic images (“Photographs”) depicted in Exhibits 1 – 3.

7. The Photographs have been registered with the United States Copyright Office or have pending copyright registrations. For the Photographs with a pending registration, a complete application, fees, and deposit materials for copyright registration have been received by the Copyright Office in compliance with the Copyright Act, 17 U.S.C. §§ 101, *et seq.*

8. Greenberg entered into licensing agreements with stock photo companies, including PhotoEdit, The Image Works, and Stock Boston (collectively, “the Licensees”) granting them limited rights to sublicense Greenberg’s photographs to third parties, in exchange for a percentage of the fees it negotiated.

9. Upon information and belief, between 1994 and the present, MHE obtained access to the Photographs from the Licensees. In response to requests from MHE, the Licensees issued invoices to MHE, identifying specific publications in which the Photographs were to appear. *See* Exhibits 1 (listing PhotoEdit invoices), 2 (listing The Image Works invoices) and 3 (listing Stock Boston invoices). Exhibits 1 – 3 identify the Photographs at issue by Image ID and description, and

include the invoice number, date, and MHE imprint that licensed the Photographs. Exhibits 1 – 3 also identify additional information, including publication title and usage limitations, where known.

10. Upon information and belief, licenses granted by the Licensees to MHE, if any, were expressly limited by number of copies, distribution area, image size, language, duration and/or media (print or electronic).

11. Upon information and belief, at the time MHE represented to the Licensees that it intended to make specific, limited uses of Plaintiff's photographs, MHE often knew its actual uses would exceed those it was disclosing to the Licensees.

12. Shortly after obtaining access to the Photographs, upon information and belief, MHE infringed Plaintiff's copyrights in various ways, including:

- a. printing or distributing more copies of the Photographs than authorized;
- b. distributing publications containing the Photographs outside the authorized distribution area;
- c. publishing the Photographs in electronic, ancillary, or derivative publications without permission;
- d. publishing the Photographs in international editions and foreign publications without permission; and
- e. publishing the Photographs beyond the specified time limits.

13. Upon information and belief, after obtaining access to the Photographs, MHE used the Photographs in additional publications without permission, or in excess of permission granted, but Plaintiff has no way of discovering these additional unauthorized uses.

14. MHE alone knows the full extent to which it has infringed Plaintiff's copyrights by making unauthorized uses of the Photographs, but it has refused to disclose this information.

15. On September 23, 2014, a jury sitting in the Eastern District of Pennsylvania found MHE liable for copyright infringement of 38 photographs in 11 textbooks by the same scheme Plaintiff alleges here. *See Grant Heilman Photography, Inc. ("GHPI") v. McGraw-Hill School Education Holdings, LLC, et al.*, No. 5:12-cv-2061-MMB (Doc. 180, Judgment). The jury awarded \$127,087 in actual damages and profits to that stock photography agency for those infringements. MHE subsequently admitted an additional 1,092 infringements of GHPI photographs.

16. On November 25, 2014, Judge Rebecca Pallmeyer in the Northern District of Illinois found MHE liable on summary judgment for 81 counts of copyright infringement for engaging in the same scheme Plaintiff alleges here ("... McGraw-Hill violated the licensing agreements in three distinct ways: print overruns, distribution outside the authorized geographic areas, and unlicensed reproductions in electronic media."). *See Panoramic Stock Images, Ltd. v. McGraw-Hill Global Education Holdings, LLC et al.*, No. 1:12-cv-09881 (Doc. 85, Memorandum Opinion and Order, p. 13).

17. All exhibits attached hereto are incorporated into this Complaint by this reference.

## **COUNT I**

### **COPYRIGHT INFRINGEMENT AGAINST MHE**

18. Plaintiff incorporates herein by this reference each and every allegation contained in the paragraphs set forth above.

19. The foregoing acts of MHE constitute infringements of Plaintiff's copyrights in the Photographs in violation of 17 U.S.C. §§ 501 et seq.

20. Plaintiff suffered damages as a result of MHE's unauthorized use of the Photographs.

WHEREFORE, Plaintiff requests the following:

1. A preliminary and permanent injunction against Defendants and anyone working in concert with Defendants from copying, displaying, distributing, selling or offering to sell Plaintiff's Photographs described in this Complaint and Plaintiff's photographs not included in suit.

2. As permitted under 17 U.S.C. § 503, impoundment of all copies of Plaintiff's Photographs used in violation of Plaintiff's exclusive copyrights as well as all related records and documents and, at final judgment, destruction or other reasonable disposition of the unlawfully used Photographs, including digital files and any other means by which they could be used again by Defendants without Plaintiff's authorization.

3. An award of Plaintiff's actual damages and all profits derived from the unauthorized use of Plaintiff's Photographs or, where applicable and at Plaintiff's election, statutory damages.

4. An award of Plaintiff's reasonable attorneys' fees.

5. An award of Plaintiff's court costs, expert witness fees, interest and all other amounts authorized under law.

6. Such other and further relief as the Court deems just and proper.

### **DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury of all issues permitted by law.

DATED: January 30, 2017

Plaintiff Jeffrey Greenberg,  
by his attorneys,



Maurice Harmon  
Harmon & Seidman LLC  
11 Chestnut Street  
New Hope, PA 18938  
Tel: (917) 516-4434  
E-mail: maurice@harmonseidman.com

Amanda L. Bruss  
Harmon & Seidman LLC  
8728 East 54<sup>th</sup> Place



Denver, CO 80238  
Tel: (303) 371-6754  
E-mail: amanda@harmonseidman.com

Christopher Seidman  
Harmon & Seidman LLC  
101 South Third Street, Suite 265  
Grand Junction, Colorado 81501  
Tel: (970) 245-9075  
E-mail: chris@harmonseidman.com

## EXHIBIT 1
















	Image	Author / Description	Registration Information	Invoice	Imprint	Publication	License Limits
1		CAR585JG 142 001 <i>Hispanic young woman promoting L'eggs hosiery by giving free pens at carnival on Calle Ocho in Little Havana, Miami, FL</i>	Reg. Number: VA 2-014-193  Reg. Date: 8/11/2016  Prior reg:	Inv. No.:  Inv. Date: 12/12/2008 Licensor: PhotoEdit	MCGRAW-HILL HIGHER ED.	SELLING 7/E By Weitz	
2		THN215JG 002 001 <i>Variety of magazines on display on rack inside Eckerd's Drugstore, Miami Beach, FL</i>	Reg. Number: VA 2-011-376  Reg. Date: 5/3/2016  Prior reg:	Inv. No.:  Inv. Date: 12/12/2008 Licensor: PhotoEdit	MCGRAW-HILL HIGHER ED. HUMANITIES	MASS MEDIA IN CHANGING	
3		LAW201JG 060 001 <i>White policeman demonstrates features of police motorcycle to Black boy sitting on the motorcycle seat at police.</i>	Reg. Number: 1-3390961011  Reg. Date: 5/9/2016  Prior reg:	Inv. No.:  Inv. Date: 12/12/2008 Licensor: PhotoEdit	GLENCOE PUBLISHING	DISCOVERING LIFE	
4		CAR403JG 018 001 <i>White woman speaks with Transportation Security Administration representative about employment. Bayfront.</i>	Reg. Number: VA 2-011-376  Reg. Date: 5/3/2016  Prior reg:	Inv. No.:  Inv. Date: 12/12/2008 Licensor: PhotoEdit	GLENCOE PUBLISHING	DISCOVERING LIFE	
5		CAR121JG 141 001 <i>Hispanic teen boy serves Afro-Cuban food at Sabor de Espana restaurant, Little Gables, FL</i>	Reg. Number: VA 2-011-376  Reg. Date: 5/3/2016  Prior reg:	Inv. No.:  Inv. Date: 12/12/2008 Licensor: PhotoEdit	GLENCOE PUBLISHING	DISCOVERING LIFE	
6		DIS861JG 101 001 <i>Damaged McDonald's sign after Hurricane Jeanne, Vero Beach, FL</i>	Reg. Number: VA 2-011-376  Reg. Date: 5/3/2016  Prior reg:	Inv. No.:  Inv. Date: 12/12/2008 Licensor: PhotoEdit	GLENCOE PUBLISHING	MARKETING ESSENTIALS	
7		ATC001JG 088 001 <i>White female artist sits at table in gallery and works with soldering iron of stained glass frame, Eve Candy Gallery.</i>	Reg. Number: VA 2-011-376  Reg. Date: 5/3/2016  Prior reg:	Inv. No.:  Inv. Date: 12/12/2008 Licensor: PhotoEdit	GLENCOE PUBLISHING	MARKETING ESSENTIALS	
8		YNG165JG 009 001 <i>2 Puerto Rican young women pose together at National Conference for Community Justice, Miami, FL</i>	Reg. Number: 1-4071408085  Reg. Date: 11/9/2016  Prior reg:	Inv. No.:  Inv. Date: 12/12/2008 Licensor: PhotoEdit	GLENCOE/MC GRAW	APPLYING LIFE SKILLS	

	Image	Author / Description	Registration Information	Invoice	Imprint	Publication	License Limits
9		TES421JG 025 001 <i>Black teen girl speaks to audience at the Drug Free Youth in Town Annual Youth Summit, Miami FL</i>	Reg. Number: VA 2-005-829  Reg. Date: 5/12/2016  Prior reg:	Inv. No.:  Inv. Date: 12/12/2008 Licensor: PhotoEdit	GLENCOE/MC GRAW	APPLYING LIFE SKILLS	
10		PEP741JG 032 001 <i>Hispanic male and female volunteer workers pose for group portrait beside banner reading "Hurricane Relief Drop"</i>	Reg. Number: VA 2-014-193  Reg. Date: 8/11/2016  Prior reg:	Inv. No.:  Inv. Date: 12/12/2008 Licensor: PhotoEdit	GLENCOE/MC GRAW	APPLYING LIFE SKILLS	
11		FOD825JG 025 001 <i>White male organic farmer shows off freshly picked cherry tomatoes, potatoes, squash, onions, turnips, green</i>	Reg. Number: VA 2-014-193  Reg. Date: 8/11/2016  Prior reg:	Inv. No.:  Inv. Date: 12/12/2008 Licensor: PhotoEdit	GLENCOE PUBLISHING	FOOD FOR TODAY	
12		FES575JG 006 001 <i>Ukrainian female dancer wearing traditional clothes and a wreath on her head dances with Canadian boy at the</i>	Reg. Number: VA 2-005-829  Reg. Date: 5/12/2016  Prior reg:	Inv. No.:  Inv. Date: 12/30/2008 Licensor: PhotoEdit	GLENCOE/Mc GRAW-HILL	WORD JOURNEY 2009	
13		CAR121JG 052 001 <i>Japanese young male chef prepares California rolls and seaweed wraps at Yoko's Japanese Restaurant, Miami Beach</i>	Reg. Number: VA 2-005-827  Reg. Date: 5/1/2016  Prior reg:	Inv. No.:  Inv. Date: 12/30/2008 Licensor: PhotoEdit	GLENCOE/Mc GRAW-HILL	WORD JOURNEY 2009	
14		YNG911JG 005 001 <i>Smiling Black young adult male lyricist writes in his journal outside, Miami Beach, FL V</i>	Reg. Number: 1-4071407931  Reg. Date: 10/14/2016  Prior reg:	Inv. No.:  Inv. Date: 12/30/2008 Licensor: PhotoEdit	GLENCOE/Mc GRAW-HILL	WORD JOURNEY- EARLY	
15		SIG601JG 014 001 <i>Sign warns beachgoers of water contaminated by sewage, Angoon, AK</i>	Reg. Number: 1-4068772599  Reg. Date: 10/14/2016  Prior reg:	Inv. No.:  Inv. Date: 1/15/2009 Licensor: PhotoEdit	MCGRAW-HILL HIGHER EDUCATION	ENVIRONMENTAL SCIENCE	
16		SPT581JG 005 001 <i>Multi-ethnic group of women participates in Race For The Cure fight against breast cancer marathon and fund raiser</i>	Reg. Number: VA 2-005-827  Reg. Date: 5/1/2016  Prior reg:	Inv. No.:  Inv. Date: 1/15/2009 Licensor: PhotoEdit	MCGRAW-HILL HIGHER ED. HUMANITIES	PUBLIC RELATION 3/e	